

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Rachel Ellman	Team: Squad #8	CCRB Case #: 201800458	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 01/12/2018 6:00 AM	Location of Incident: Inside of § 87(2)(b)	Precinct: 105	18 Mo. SOL 7/12/2019	EO SOL 7/12/2019	
Date/Time CV Reported Sat, 01/13/2018 9:00 AM	CV Reported At: Other City agency	How CV Reported: Phone	Date/Time Received at CCRB Thu, 01/18/2018 11:08 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. DT3 Howard Kwok	4766	950711	NARCBQS
2. DT3 Ducarmel Pierre	05770	925922	NARCBQS
3. DT3 Sekou Bourne	05941	924971	NARCBQS

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT Lawrence Granshaw	01863	944609	NARCBQS

Officer(s)	Allegation	Investigator Recommendation
A.DT3 Howard Kwok	Abuse: Detective Howard Kwok entered § 87(2)(b).	§ 87(2)(b)
B.DT3 Sekou Bourne	Discourtesy: Detective Sekou Bourne spoke discourteously to § 87(2)(b).	§ 87(2)(b)
C.DT3 Ducarmel Pierre	Abuse: Detective Ducarmel Pierre refused to show the search warrant to § 87(2)(b).	§ 87(2)(b)

### Case Summary

On January 12, 2018, Queens South Narcotics officers executed search warrant § 87(2)(b), obtained by Det. Howard Kwok, at § 87(2)(b)'s home at § 87(2)(b). (**Allegation A—Abuse of Authority: Entry,** § 87(2)(g)) Det. Sekou Bourne, of Queens South Narcotics, handcuffed § 87(2)(b) and told her he was going to “tear [the house] the fuck up.” (**Allegation B—Discourtesy: Word,** § 87(2)(g)) § 87(2)(b) her brothers § 87(2)(b) and § 87(2)(b) and her cousin, § 87(2)(b) were all taken outside and placed into an unmarked prisoner van. There, § 87(2)(b) asked Det. Ducarmel Pierre, also of Queens South Narcotics, to see a copy of the search warrant, to which he laughed. (**Allegation C—Abuse of Authority: Refusal to show search warrant,** § 87(2)(g)) § 87(2)(b) was never shown a copy of the search warrant. Her mother, § 87(2)(b) was presented with a copy of the search warrant and signed it.

§ 87(2)(b) was arrested for § 87(2)(b). Queens South Narcotics vans were not equipped with cameras at the time of the incident.

### Findings and Recommendations

**Allegation A---Abuse of Authority: Detective Howard Kwok entered** § 87(2)(b). At approximately 6:00 a.m., Queens South Narcotics officers entered § 87(2)(b)'s home, breaking down her front and back door in the process.

On January 9, 2018, Det. Howard Kwok obtained a no-knock search warrant for § 87(2)(b) from the Honorable Judge § 87(2)(b) in Queens. The warrant concerned marijuana. (Board Review 11)

§ 87(2)(g)

### **Allegation B—Discourtesy: Detective Sekou Bourne spoke discourteously to** § 87(2)(b)

§ 87(2)(b) awoke to the sound of loud pounding, and jumped out of her bed as two officers with shields came into her room. The shielded officers left, and Det. Bourne walked into the room and told § 87(2)(b) that he had a search warrant. Det. Bourne picked § 87(2)(b) up off her bed, put her hands behind her back, and handcuffed her. Det. Bourne said, “Do you have anything I should know about before I tear this place the fuck up? Do you have anything you are not supposed to?” Det. Bourne never specified what he was looking for, and § 87(2)(b) told him that she did not have anything on her. Det. Bourne then brought § 87(2)(b) down to the living room. (Board Review 01)

Det. Bourne had no specific recollection of this warrant. Det. Bourne was assigned to cuff-and-toss, meaning he was to handcuff civilians upon his entry into the home. Det. Bourne did not recall ascending or descending any stairs, and could not recall if he handcuffed any civilians during the warrant execution. When shown a picture of § 87(2)(b) Det. Bourne said he was not familiar with her. Det. Bourne recalled no contentious conversations with civilians inside the home. Det. Bourne said he did not search the home, and had no recollection of speaking with

any civilians about searching the home. Det. Bourne had no recollection of ever saying to a civilian, “Anything I should know about before I tear this place the fuck up?” (Board Review 02)

Det. Bourne was identified from § 87(2)(b)'s statement and NYPD documents. § 87(2)(b) described this officer as a Black man, and Det. Bourne was the only other Black male involved in the warrant execution besides Det. Pierre. Further, § 87(2)(b)'s description of Det. Bourne immediately handcuffing her accords with Det. Bourne's cuff-and-toss assignment.

§ 87(2)(g)  
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**Allegation C—Abuse of Authority: Detective Ducarmel Pierre refused to show the search warrant to § 87(2)(b)**

§ 87(2)(b) and § 87(2)(b) were ultimately placed into an unmarked van parked outside of their house. § 87(2)(b) could not recall the duration she was in the van, but recalled Det. Pierre standing near the rear of the van. The door to the van was closed for the majority of the time § 87(2)(b) was inside, yet she recalled intermittent conversation with Det. Pierre when the door was open. § 87(2)(b) said to Det. Pierre, “We still have not seen the warrant,” which he did not acknowledge. § 87(2)(b) recalled Det. Bourne being in the vicinity of the prisoner van during this time. § 87(2)(b) was never presented with a copy of the search warrant.

§ 87(2)(b) recalled Det. Pierre being in the vicinity of the prisoner van. § 87(2)(b) said the door to the van was closed for the majority of the time he was outside, but that there was some conversation with Det. Pierre when the door was open. § 87(2)(b) recalled § 87(2)(b) asking Det. Pierre to see a copy of the search warrant, to which Det. Pierre told § 87(2)(b) that she would have an opportunity to see it later. (Board Review 03)

§ 87(2)(b) did not mention a request to see the search warrant in his statement (Board Review 04)

Det. Bourne did not hear anyone ask Det. Pierre to see the search warrant, nor did he hear Det. Pierre speaking with the Stewards about the search warrant at all.

Det. Pierre believed he stood near the driver's door of the prisoner van after completing his Animal Control duties inside the home. Det. Pierre had no recollection of speaking with civilians inside the prisoner van, and did not know if these civilians were considered under arrest. Det. Pierre did not have a copy of the search warrant, and recalled no conversation about the search warrant. Det. Pierre did not recall any of the Stewards discussing the warrant, or asking any officers to see the warrant. Det. Pierre said no one asked him to see the warrant, but, had they asked, he would have relayed the request to an officer who did have the warrant. (Board Review 05)

§ 87(2)(g)

#### **Civilian and Officer CCRB Histories**

- This is the first CCRB complaint to which § 87(2)(b) has been a party. (Board Review 12)
- This is the first CCRB complaint to which § 87(2)(b) has been a party. (Board Review 06)
- Det. Kwok has been a member of service for six years, and this is the first CCRB complaint to which he has been a subject. (Board Review 13)
- Det. Bourne has been a member of service for 18 years, and has been a subject of 22 CCRB complaints and 44 CCRB allegations, of which nine were substantiated. (Board Review 07)
  - In 201405612, a discourtesy allegation was substantiated against Det. Bourne for him telling a civilian to “turn the fuck around.” The Board recommended Formalized Training for this allegation, yet the NYPD found Det. Bourne not guilty.
  - Det. Bourne has three other discourteous word allegations, all of which have been unsubstantiated.
- Det. Pierre has been a member of service for 18 years, and has been a subject of three CCRB complaints and seven CCRB allegations, none of which were substantiated. (Board Review 08)

#### **Mediation, Civil and Criminal Histories**

- The § 87(2)(b) family did not file a Notice of Claim with the New York City Office of the Comptroller. (Board Review 09)
- § 87(2)(g)

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Squad No.: 8

Investigator: \_\_\_\_\_  
Signature Print Title & Name Date

Squad Leader: \_\_\_\_\_  
Signature Print Title & Name Date

Reviewer: \_\_\_\_\_  
Signature Print Title & Name Date

